IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

Bail Appl..No. 108 of 2007()

CC.100/2006 of J.M.F.C.-I,PALAKKAD
CRIME NO.301/2005 OF KASABA POLICE STATION, PALAKKAD.
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PETITIONER/ACCUSED

MICHAEL RAJ, AGED 41 YEARS,
GOWSELYA ELLAM, HOUSE NO. 264,
V.G.V. GARDEN, RAKIA PALAYAM,
THRIPPUR, TAMIL NADU.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.A.S.SABU

RESPONDENTS: STATE

STATE OF KERALA, REP. BY THE
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 108 OF 2007

Dated this the 7th day of February, 2007

O R D E R

The petitioner, who is the accused in C.C. No.100/2006 on the file of the JFCM-I, Palakkad for an offence punishable under Section 498A I.P.C., seeks anticipatory bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Consequent on the non-appearance of the petitioner before the Magistrate, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted in a case of this nature to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of on merits, preferably on the same day on which it is filed, notwithstanding the warrants, if any, pending against the petitioner.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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